

Bidder understands and will comply: Yes _____ No _____

Discussion (if any): _____

5.16 Project Phase Out and Transfer to New Contractor

The Contractor shall develop a System Transition Plan as a deliverable 12 months after the project begins. The System Transition Plan shall provide for the migration of the EBT system to a new contractor without disruption of service. The estimated cost for implementing the System Transition Plan shall be provided by the Contractor at the time the Plan is delivered to the State. Detailed costing levels will be included to support the estimate and to enable the State to understand the costing methodologies. Where applicable, cost items will correspond to at least the transition activities delineated below. If the State transitions to a new contractor at the expiration of the Contract, the Contractor shall perform the duties outlined in the System Transition Plan. The work authorization process, as contained in the contract will be used to invoke the services.

For a minimum of six (6) months before the expiration of the Contract, if the State will be transitioning to a new contractor, the Contractor shall assist the State and the counties in migrating to the new contractor. The Contractor shall provide all necessary support to facilitate a speedy and problem free transition that does not interfere with service to clients or county operations. Failure to cooperate with or withholding any information or records requested by the State, or the new contractor, that impairs in any way the transition of EBT to a different party, shall constitute a material breach of the Contract, and shall subject the Contractor to liability for all damages incurred by the State because of such failure. Notwithstanding the above, the State may alternatively choose to consider a breach of this section an event of default.

The Contractor shall provide current system documentation, current source programs, executables, and data files in such format and on such media as may be requested by the State. The Contractor shall develop a Transfer Plan that identifies the necessary activities that must be accomplished prior to and during the conversion in order to be successful. The Contractor shall also work with the new contractor to ensure that the Transfer Plan is completed. The Contractor shall assist in all aspects of the conversion to ensure a successful transition. The assistance shall include, but not be limited to:

- Notifying retailers and recipients of the change
- Discontinuing new benefit authorization
- Allowing POS equipment to remain in retailer locations during the phase-out period to allow recipients to access remaining benefits
- Terminating all EBT related agreements at the end of the phase-out period
- Providing the State and the counties with a report of any remaining benefit balances
- Notifying recipients with existing balances
- Coordinating the transition to a new contractor
- Coordinating the transition to a new system

Additionally, at the request of the State, the Contractor shall continue to perform the duties and responsibilities of the Contract following the normal expiration date of the Contract or following the date of termination for cause or convenience; until the system is successfully transferred to a new contractor. If the Contractor must continue to perform duties after the original contract term and the two additional one-year extensions in order to complete the transition, pricing may be adjusted according to the terms of the contract.

Bidder understands and will comply: Yes _____ No _____

Discussion (if any): _____